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11

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION  
15

16 GREGORY WOCHOS, Individually and on  
Behalf of All Others Similarly Situated,

17 Plaintiff,

18 v.  
19

20 TESLA, INC., ELON R. MUSK, DEEPAK  
AHUJA, and JASON WHEELER,

21 Defendants.  
22

Case No.: 3:17-cv-05828-CRB

**STIPULATION AND ~~PROPOSED~~  
ORDER RESETTING HEARING ON  
DEFENDANTS' MOTION TO DISMISS  
SECOND AMENDED COMPLAINT  
TO MARCH 22, 2019**

Judge: The Honorable Charles R. Breyer

Date Action Filed: October 10, 2017

1 WHEREAS, this action purports to assert claims under Sections 10(b) and 20(a) of the  
 2 Securities Exchange Act of 1934 and Rule 10b-5 promulgated thereunder against Tesla, Inc. and  
 3 two of its individual officers (together, “Defendants”);

4 WHEREAS, on September 28, 2018, Lead Plaintiff filed the Second Amended Complaint  
 5 (Dkt. No. 46);

6 WHEREAS, on November 20, 2018, Defendants filed their Motion to Dismiss the Second  
 7 Amended Complaint (Dkt. No. 49);

8 WHEREAS, a hearing on Defendants’ Motion to Dismiss was originally scheduled for  
 9 March 1, 2019;

10 WHEREAS, by Clerk’s Notice on February 20, 2019, the hearing on Defendants’ Motion  
 11 to Dismiss was vacated and reset for March 8, 2019 (Dkt. No. 60);

12 WHEREAS, by Clerk’s Notice on March 1, 2019, the hearing on Defendants’ Motion to  
 13 Dismiss was reset for March 15, 2019 (Dkt. No. 61);

14 WHEREAS, due to a pre-existing scheduling conflict, lead counsel for Defendants is  
 15 unavailable on March 15, 2019;

16 WHEREAS, the parties have met and conferred and agreed that counsel for all parties are  
 17 available on March 22, 2019 for a hearing on Defendants’ Motion to Dismiss the Second  
 18 Amended Complaint, and respectfully request the Court to continue the March 15, 2019 hearing  
 19 date to March 22, 2019 at 10:00 A.M.

20 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, subject to the  
 21 approval of the Court, that the hearing on Defendants’ Motion to Dismiss the Second Amended  
 22 Complaint (Dkt. No. 49) in this action be RESET to March 22, 2019 at 10:00 A.M.

23 Dated: March 1, 2019

FENWICK & WEST LLP

24 By: /s/ Dean S. Kristy

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1 Dated: March 1, 2019

THE ROSEN LAW FIRM, P.A.

2 By: /s/ Jacob A. Goldberg

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Attorneys for Lead Plaintiff Kurt Friedman

11 Pursuant to Civil Local Rule 5-1(i)(3), all signatories concur in filing this stipulation.

12 Dated: March 1, 2019

By: /s/ Dean S. Kristy

Dean S. Kristy, Esq.

13 \* \* \*

14 ~~PROPOSED~~ ORDER

15 Upon stipulation of the parties, and good cause appearing, IT IS SO ORDERED.

16 Dated: March 4, 2019

17 

18 Hon. Charles R. Breyer  
19 United States District Court Judge